

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Vernon Sequin et al.

Application No.: 10/716,001

Filed: November 18, 2003

For: CO₂ WAVEGUIDE LASER

BERYLLIUM OXIDE WAVEGUIDES

Confirmation No.: 4211

Group Art Unit: 2828

Examiner: Unknown

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

353 Sacramento Street, Suite 2200 San Francisco, CA 94111 Telephone: (415) 772-4900 Facsimile: (415) 398-2890

M/S AMENDMENT Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 2005.

STALLMAN & POLLOCK LLP

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Dated: 03/ 1/2005 E

Tanisha Lawrence-Caceres

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.

	(c) 🖂	as far as is known to the undersigned, is filed before the mailing date of a first
		Office Action on the merits, or before a first office action after filing a Request
		for Continued Examination under §1.114.
	(d) [is filed after the first office action and more than three months after the
	•	application's filing date or PCT national stage date of entry filing but, as far as is
		known to the undersigned, prior to the mailing date of either a final rejection or a
		notice of allowance, whichever occurs first, and is accompanied by either the fee
		(\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR §
		1.97(e), as checked below.
	(e)	is filed after the mailing date of either a final rejection or a notice of allowance,
	,	whichever occurred first, and the Issue Fee has not been paid, and is accompanied
		by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified
		in 37 CFR § 1.97(e), as checked below. This document is to be considered as a
		petition requesting consideration of the information disclosure statement.
	[If eith	er of boxes (d) or (e) is checked above, the following "certification" under 37 CFR
§ 1.97	(e) may	need to be completed.] The undersigned certifies that:
	(f) [Each item of information contained in the information disclosure statement was
		cited in a communication mailed from a foreign patent office in a counterpart
		foreign application not more than three months prior to the filing of this
		information disclosure statement.
	(g)	No item of information contained in this information disclosure statement was
		cited in a communication mailed from a foreign patent office in a counterpart
		foreign application or, to the knowledge of the undersigned after making
		reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c)
		more than three months prior to the filing of this information disclosure statement.
	A list	of the patent(s) or publication(s) is set forth on the attached Form PTO-1449
(Modi	fied).	
	A cop	y of the items on PTO-1449 (Modified) is supplied herewith, except as noted
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Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached
form PTO-1449 (Modified) are not supplied because they: (a) are either U.S. Patents or
published U.S. patent applications; (b) are a U.S. patent application, the image of which is stored
in the USPTO's file wrapper (IFW) system; or (c) were previously cited by or submitted to the
Office in a prior application no, filed, and relied upon in this application for an
earlier filing date under 35 U.S.C. § 120.
A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:
(h) not given
(i) given for each listed item
(j) given for only non-English language listed item(s) [Required]
(k) is in the form of an English language copy of a Search Report from a foreign
patent office, issued in a counterpart application, which refers to the relevant

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

portions of the references [copy attached].

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. COHO-5150, for any fees required in connection with the filing of this Information Disclosure Statement. A duplicate copy of this Notice is enclosed for this purpose. In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the

above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: March (5, 2005

Michael A. Stallman Reg. No. 29,444

Attorneys for Applicant(s)

INFORMATION DISCLOSURE ESTATION (Use several sheets if necessary)

Docket Number (Optional)	Application Number
СОНО-5150	10/716,001
Applicant(s)	
Vernon Seguin et al.	
Filing Date	Group Art Unit
November 18, 2003	2828

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE .	Name	CLASS	SUBCLASS	FILING DATE
	*AA	6,788,722	08-07-2004	Kennedy et al.	372	64	07-10-2000

FOREIGN PATENT DOCUMENTS

		DOCUMENT					Translation ·	
	REF	Number	DATE	COUNTRY	CLASS	SUBCLASS	YES	No
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OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

AB	A.E. Belyanko et al., "Waveguide CO ₂ laser with 7.5 W output power," Soviet Journal of Quantum Electronics, Vol. 14, No. 1, January 1984, pp. 123-126.	
	·	

Examiner	Date Considered					
Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if						
not in conformance and not considered. Include copy of this form with next communication to applicant.						